

Charles T. Atkinson

From: Stephen Knudsen <sknudsen@durkinlawfirm.com>
Sent: Friday, September 20, 2013 6:19 PM
To: Charles T. Atkinson
Subject: Re: Melendez - 12 CV 8846

Travis - do you ever go home?

Have a good weekend!!

Sent from my iPhone

On Sep 20, 2013, at 6:01 PM, "Charles T. Atkinson" <catkinson@NapoliBern.com> wrote:

Steve,

Thank you for the exchange.

I don't see a supplemental report by Mr. Galbreath containing a complete statement of his opinions regarding Mr. Miller's animations, how Galbreath arrived at those opinions, or how the opinions contained in Galbreath's original report were changed as a result of having viewed those animations. Kindly advise me immediately if we can expect a supplemental report from Mr. Galbreath between now and the close of expert discovery at midnight EST.

Please be advised that in the absence of such a report, your last-minute exchange is deficient pursuant to FRCP 26(a)(2)(B)(i-ii), and rejected accordingly. Should the Court permit Galbreath to testify at all, we will object to any attempts on your part to use this last-minute exchange to justify expanding the scope of your inquiry beyond the opinions contained in his original report.

Have a good weekend.

<image001.gif>

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From: Stephen Knudsen [<mailto:sknudsen@durkinlawfirm.com>]
Sent: Friday, September 20, 2013 5:11 PM
To: Joseph Napoli; Keith Raven
Cc: Charles T. Atkinson; Lorna Rodney
Subject: Melendez - 12 CV 8846

Counsel:

Attached hereto is the Expert Exchange of the Volpe Defendants as to Kevin Galbreath that went out in the regular mails today.

Stephen M. Knudsen, Esq.

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